

**IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE,
AT NASHVILLE- DIVISION I**

STATE OF TENNESSEE

vs.

PERRY AVRAM MARCH

No. 99-B-1290

**MOTION FOR PRE-TRIAL HEARING ON
ADMISSABILITY OF 608 IMPEACHMENT EVIDENCE**

Comes now the Defendant, **PERRY AVRAM MARCH**, by and through counsel, pursuant to Tenn. Rule Ev. 608 and moves for a pre-trial hearing to determine the admissibility of the impeachment evidence provided to the Defense by Notice dated 3/6/06. Movant is in need of a pre-trial determination in order to properly prepare for trial.


The Defense request an evidentiary hearing, prior to trial to determine:

1. Whether the specific allegation of bad acts constitute character for untruthfulness.
2. Whether or not the defense has been given sufficient advance notice to have a fair opportunity to contest the evidence.
3. The factual basis for the alleged prior bad acts. (the basis for the question)
4. Whether the probative value outweighs the prejudicial effect.

Wherefore, Defendant moves for a pre-trial hearing at the earliest possible date to determine the admissibility and extent of cross examination under Rule 608.


Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion was forwarded by U.S. Mail, postage prepaid, to Amy Eisenbeck, Assistant District Attorney General, at 222 Second Avenue North, Nashville, Tennessee 37201, on this 30 day of March, 2006.


C. Edward Fowlkes

THIS MOTION IS EXPECTED TO BE HEARD ON **2006 AT** **.M.**